

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. BANK NATIONAL
ASSOCIATION, Litigation Trustee of the
Idearc Inc. *et al.* Litigation Trust,

Plaintiff,

V.

VERIZON COMMUNICATIONS INC.,
et al.,

Defendants.

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CIVIL ACTION NO.
3:10-CV-1842-G

FILED UNDER SEAL

**PLAINTIFF’S UNOPPOSED MOTION FOR LEAVE TO FILE SUPPLEMENTAL
APPENDIX IN SUPPORT OF PLAINTIFF’S MOTIONS TO STRIKE DEFENDANTS’
SUMMARY JUDGMENT EVIDENCE AND BRIEF IN SUPPORT THEREOF**

Plaintiff files this Unopposed Motion for Leave to File a Supplemental Appendix (the “Supplemental Appendix”) in Support of Its Motions to Strike Defendants’ Summary Judgment Evidence and Brief in Support Thereof [Docs. 428 and 436].

Plaintiff respectfully requests leave to file the Supplemental Appendix attached hereto as Exhibit “1.” *See, e.g., Springs Indus., Inc. v. Am. Motorists Ins. Co.*, 137 F.R.D. 238, 240 (N.D. Tex. 1991). The documents in the Supplemental Appendix are offered in rebuttal to arguments raised by Defendants in their Joint Response to Plaintiff’s Motions to Strike, including, but not limited to, Defendants’ argument that Idearc’s status as a Verizon subsidiary has been established in this case.

As evidenced by the Certificate of Conference attached to this Motion, Defendants do not oppose the relief requested herein.

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE SUPPLEMENTAL
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Respectfully submitted,

/s/ Werner A. Powers

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as Litigation Trustee on Behalf of the
Idearc Inc. et al. Litigation Trust

CERTIFICATE OF CONFERENCE

The undersigned conferred with opposing counsel regarding the contents of this Motion on August 2, 2012. Opposing counsel indicated that Defendants do not oppose the Motion.

/s/ Patrick Keating
Patrick Keating

CERTIFICATE OF SERVICE

On August 6, 2012, the undersigned electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. The undersigned hereby certifies that all counsel and/or *pro se* parties of record have been electronically served in accordance with Federal Rule of Civil Procedure 5(b)(2).

/s/ Werner A. Powers
Werner A. Powers

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